

CRYSTAL M. LONG
LONG vs ABILITY RECOVERY SERVICES
February 19, 2018
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1	**CONFIDENTIAL**		
2	IN THE UNITED STATES DISTRICT COURT		
3	FOR THE DISTRICT OF MARYLAND		
4	CRYSTAL LONG, :	1	INDEX OF EXAMINATION
5	Plaintiff, :	2	
6	:	3	EXAMINATION
7	v. : Civil Action No:	4	PAGE
8	: 8:17-cv-01955-GJH	By Mr. Metcho.	4
9	PENDRICK CAPITAL	By Mr. Marcus.	65
10	PARTNERS, II, LLC,	5	
11	ABILITY RECOVERY		~~~~~
12	SERVICES, LLC,	6	
13	EXPERIAN INFORMATION	7	
14	SOLUTIONS, INC.,		INDEX OF EXHIBITS
15	and	8	
16	EQUIFAX INFORMATION	9	**1. TransUnion Report 4/26/17
17	SYSTEMS, LLC,	10	57
18	Defendants.	11	**2. Mint Notification
19		12	75
20	CONFIDENTIAL DEPOSITION OF CRYSTAL M. LONG	13	
21	Monday, February 19, 2018	14	~~~~~
22	1:01 p.m.	15	
1	The Goldson Law Office	16	
2	1734 Elton Road	17	
3	Suite 210	18	
4	Silver Spring, Maryland	19	
5	Terry L. Bradley, Court Reporter	20	
6		21	
7		22	
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1	APPEARANCES OF COUNSEL	1	PROCEEDINGS
2		2	
3	For the Plaintiff:	3	CRYSTAL M. LONG,
4	THE GOLDSON LAW OFFICE	4	having been first duly sworn, testified as
5	INGMAR B. GOLDSON, ESQ.	5	follows:
6	COURTNEY WEINER, ESQ.	6	
7	1734 Elton Road	7	EXAMINATION
8	Suite 210	8	BY MR. METCHO:
9	Silver Spring, MD 20903	9	Q. You ready?
10	T-240.780.8829	10	Good afternoon, Ms. Long. My name
11	E-igoldson@goldsonlawoffice.com	11	is Ron Metcho. I'm with the law firm of
12	For the Defendant Ability Recovery	12	Marshall, Dennehey, Warner, Coleman & Goggin.
13	Services, LLC:	13	I represent an entity by the name of Ability
14	MARSHALL, DENNEHEY, WARNER, COLEMAN	14	Recovery Services LLC in a lawsuit that has
15	& GOGGIN	15	been filed in the United States District Court
16	RONALD M. METCHO, II	16	for the District of Maryland. Alongside me
17	2000 Market Street	17	here is Morgan Marcus, who represents Pendrick
18	Philadelphia, PA 19103	18	Capital Partners, who is the creditor at issue
19	T-215.575.2595	19	in this particular matter. And I'd like to
20	E-rmetcho@ndwcg.com	20	thank you for being here today.
21	For the Defendant Pendrick Capital	21	You know, I know that Mr. Marcus
22	Partners II, LLC:	22	needs to get on a flight at approximately

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1 4 o'clock, so we'll try to streamline this as	1 A. No.
2 much as we can and move this along, okay?	2 Q. Okay. So what we're going to do
3 So just to give you a roadmap of	3 today is we're going to ask a series of
4 what we're going to do today, I'd just like to	4 questions, again, regarding the allegations in
5 get some background information on you, we're	5 your complaint, the allegations against my
6 going to discuss the allegations in your	6 client, and also against Pendrick. We do not
7 complaint, we're going to talk some about your	7 have representatives of the other two remaining
8 employment, also about your credit history, and	8 defendants, Experian and Equifax here, so you
9 then just some follow-up questions by Mr.	9 know, we'll leave it that. Again, this is your
10 Marcus as well pertaining to the allegations	10 first instance in sitting in a deposition?
11 against his client?	11 A. That's correct.
12 MR. GOLDSON: Has Pendrick actually	12 Q. So what I'd like to ask you to do is
13 noticed --	13 listen to the full question I ask you, give
14 Has Pendrick noticed for this	14 your counsel an opportunity to object if it's
15 deposition?	15 necessary, and then provide a complete answer
16 MR. MARCUS: Do you have issues with	16 to the questions. What we don't want to do
17 Pendrick asking --	17 is --
18 -- with my asking follow-up	18 We want to have a complete record
19 questions? I guess I can notice a separate	19 for the Court, so please refrain from saying
20 deposition for her, but I thought it would be	20 such things as "uh-huh" and "yes" and "no"
21 unnecessary.	21 answers and complete answers to the best of
22 MR. GOLDSON: I don't know if	22 your ability, okay?
Page 6	
1 it's --	1 What is your current address?
2 MS. WEINER: Well, we are, you know,	2 A. [REDACTED]
3 dismayed by the lack of compliance with	[REDACTED] Maryland,
4 procedure, but it seems to me that it's --	4 [REDACTED]
5 MR. GOLDSON: It's fine.	5 Q. How long have you lived there?
6 MS. WEINER: -- it's fine, but	6 A. 5 years.
7 perhaps in the future you should follow the	7 Q. Do you own or rent the space?
8 Rules of Civil Procedure.	8 A. I own.
9 MR. GOLDSON: All right.	9 Q. Okay. How much is approximately
10 MR. METCHO: So, is it okay if --	10 your mortgage payment monthly?
11 MR. GOLDSON: Yeah, it's fine.	11 A. 1933.
12 BY MR. METCHO:	12 Q. Are you married?
13 Q. Okay. Very good. Let's get back on	13 A. No.
14 track here.	14 Q. Do you have any children?
15 Ms. Long, please state your full	15 A. No.
16 name for the record, please.	16 Q. Have you ever been married?
17 A. Crystal Michelle Long.	17 A. No.
18 Q. Okay. Have you ever been deposed	18 Q. What's your current telephone
19 before?	19 number?
20 A. No.	20 A. [REDACTED] 8476.
21 Q. Have you ever been involved in a	21 Q. Do you have any dependents?
22 lawsuit before?	22 A. No.

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	Page 9		Page 11
1	Q. Do you live alone?	1	This was not the place of employment
2	A. Yes.	2	that you were at in regards to the allegations
3	Q. Just a little bit about your	3	in your complaint. Is that correct?
4	educational background. What's your highest	4	A. I don't understand your question.
5	level of education?	5	Q. In your complaint you allege that
6	A. Master's degree.	6	you were employed at a certain place between
7	Q. Where did you get your Master's	7	roughly November of 2016 through May of 2017.
8	degree from?	8	A. Yes.
9	A. Walden University, W-A-L-D-E-N.	9	Q. This was a different --
10	Q. And what is the Master's degree in?	10	A. That's Trusted Health Plans Inc.
11	A. Business.	11	Q. You were at the same place?
12	Q. I'm assuming you have an	12	A. Yes.
13	undergraduate degree obviously?	13	Q. Okay. And what do you do at Trusted
14	A. I do.	14	Plans Inc?
15	Q. And where is that from?	15	A. I am the Director of Health Plan
16	A. Bowie State University.	16	Accounting. I run the finance department.
17	Q. And what is your undergraduate	17	Q. Can you describe what your daily
18	degree in?	18	activities of your work are.
19	A. Business.	19	A. That would include overseeing the
20	Q. Where did you go to high school?	20	staff accountants, the temps, closing the
21	A. Jenks High School.	21	books, approving financial transactions, and
22	Q. And where is that located?	22	reviewing staff accountants' work.
	Page 10		Page 12
1	A. Jenks, Oklahoma.	1	Q. What do you mean by "closing the
2	Q. How long did you live in Oklahoma?	2	books"?
3	A. Um, let's see. From 3rd grade to	3	A. That would include ensuring that the
4	senior high school. I'm not sure how old you	4	bank reconciliations are reconciled, that
5	are in when you're in 3rd grade.	5	includes approving payments, that includes
6	Q. When did you relocate to --	6	reviewing invoices for approval, that includes
7	Excuse me. When do you move to	7	issuing financial statements.
8	Maryland from Oklahoma?	8	Q. Issuing financial statements to
9	A. 1999.	9	whom?
10	Q. And what was the reason for the	10	A. To the CFO to be presented to the
11	move?	11	Board of Directors.
12	A. To attend college.	12	Q. And how long have you been at this
13	Q. Okay. Who's your current employer?	13	place of employment?
14	A. Trusted Health Plans Inc.	14	A. A year and 5 months.
15	Q. Can you spell that, please?	15	Q. When you first began at this place
16	A. T-R-U-S-T-E-D, Plans, P-L-A-N-S,	16	of employment what was your original position?
17	Inc.	17	A. Senior Account Manager.
18	Q. And how long have you been at this	18	Q. Have you had the same position at
19	place of employment?	19	this place of employment throughout your entire
20	A. A year and 5 months.	20	employment?
21	Q. Okay. Now was this the place of	21	A. I'm not sure of your question. Can
22	employment --	22	you repeat it.

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<p style="text-align: right;">Page 13</p> <p>1 Q. Sure. When you began working this 2 job have you had different positions throughout 3 your employment? 4 A. Yes. 5 Q. Can you please tell me about each 6 one of your positions of employment. 7 A. I was the Senior Account Manager -- 8 Q. Let's step back a second. When you 9 first started what was your employment 10 position? 11 A. Senior Account Manager. 12 Q. Okay. And what was your next 13 employment position? 14 A. Acting Controller. 15 Q. What did you do as the Senior 16 Account Manager? 17 A. I oversaw the payroll AP clerk, I 18 created journal entries, I did bank 19 reconciliations. 20 Q. Okay. And to your second position, 21 what did you do under that position? 22 A. I then oversaw the staff accountants</p>	<p style="text-align: right;">Page 15</p> <p>1 A. What I am aware of is that I signed 2 an agreement indicating that I gave them 3 permission to review my credit. 4 Q. And are you aware of them ever 5 checking your credit score? 6 A. I can't speak to what the HR 7 department does. All I can say is that I've 8 given them permission to do so. 9 Q. Are you personally aware of your 10 employer ever checking your credit score? 11 MR. GOLDSON: Objection. 12 MR. METCHO: On what basis? 13 MR. GOLDSON: Asked and answered. 14 MR. METCHO: I don't believe the 15 question was answered. You can -- 16 The objection is noted on the 17 record. 18 You can answer the question if 19 you're able. 20 THE WITNESS: Can you repeat the 21 question. 22 BY MR. METCHO:</p>
<p style="text-align: right;">Page 14</p> <p>1 and the senior accountants when they were 2 there, and issued the financial statements. 3 Q. And I'm a bit confused about you've 4 stated several times "issuing financial 5 statements". Can you delve a little bit more 6 into that. What that actually entails. 7 A. Preparing financial statements for 8 the CFO to review. 9 Q. And what type of information is in 10 these financial statements? 11 A. Information that you would find on a 12 balance sheet, income statement, cash flow. 13 Q. How often do you prepare them? 14 A. Monthly. 15 Q. Does your employer check your credit 16 score regularly? 17 A. I can't answer that question. I 18 don't -- 19 I'm not privy to what HR does on a 20 regular basis. 21 Q. Are you aware of your employer ever 22 checking your credit score?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Sure. Are you personally aware of 2 your employer ever checking your credit score? 3 A. That is a question I cannot answer. 4 I do not work in the HR department. 5 Q. Are you aware of your employer 6 having a policy and procedure in place 7 regarding checking your credit score or your 8 credit reputation? 9 A. I cannot speak to the policies of 10 HR. What I can speak to is that upon 11 employment I gave them -- 12 -- I signed a document, gave them 13 permission. 14 Q. Permission for what? 15 A. To access necessary information, 16 including my background check. 17 Q. Do you have this documentation? 18 A. No, I do not. 19 Q. Do you know who has the 20 documentation? Does your employer have this 21 documentation? 22 MR. GOLDSON: Objection.</p>

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1 MR. METCHO: On what basis?	1 the option to see, so I clicked.
2 MR. GOLDSON: You're asking her a	2 Q. How often do you do that?
3 question about another entity, not a personal	3 A. It depends.
4 knowledge.	4 Q. When was the last time prior to that
5 MR. METCHO: We're in Federal Court.	5 that you checked your credit score?
6 There are two objections. There's one to	6 A. I can't give you a definitive date.
7 privilege, and this is not a privileged matter.	7 Q. Do you have an approximate date?
8 MR. GOLDSON: Uh-huh.	8 A. Approximately --
9 MR. METCHO: So again, I'll note the	9 Approximately a month prior.
10 objection for the record.	10 Q. When was the last time you applied
11 You can answer if you're able.	11 for credit?
12 THE WITNESS: Can you repeat the	12 A. I can't recall.
13 question.	13 Q. How many credit cards do you have?
14 BY MR. METCHO:	14 A. I have three personal credit cards.
15 Q. Sure. Are you aware of your	15 Q. Who are the credit cards with?
16 employer having a policy and procedure in place	16 A. Chase, um, Barclay, and Sealy's
17 regarding the checking of your credit score?	17 Furniture something. S-E-L-E-Y, I believe.
18 A. I don't have enough information to	18 Q. Do you have balances on these cards?
19 answer that question. What I can say is that	19 A. One.
20 upon hiring I filled out a document indicating	20 Q. What's the current balance on the
21 that I gave them permission to do a background	21 Chase card?
22 check.	22 A. Zero.
Page 18	
1 Q. What did the background check	1 Q. Barclay's card?
2 entail?	2 A. Zero.
3 A. I can't speak to that. All I know	3 Q. The Sealy's card?
4 is that I had to fill out information	4 A. No. I'm sorry. Sealy's --
5 indicating that they could access my	5 -- or Barclay's about maybe 7200.
6 information. I provided my Social Security	6 Q. What are your monthly payments on
7 Number.	7 the Sealy's card?
8 Q. When is the last time you checked	8 A. The Sealy's is paid for. It doesn't
9 your credit score?	9 have a balance.
10 A. The last time I checked my credit	10 Q. Okay. Which account do you have a
11 score probably was maybe a couple weeks ago.	11 balance on?
12 Q. Why did you check it?	12 A. Barclay.
13 A. Why did I check my credit score?	13 Q. Okay. The Barclay's account. When
14 Q. Yeah.	14 is the last time you made a payment?
15 A. Because it was an option on my	15 A. Maybe a week and a half ago.
16 credit reporting.	16 Q. And how much was the payment for?
17 Q. Option on your credit reporting?	17 A. \$500.
18 A. Yes.	18 Q. Do you make monthly payments?
19 Q. What does that mean?	19 A. I do.
20 A. That means that when I log into my	20 Q. How do you pay it? Do you pay it
21 financial information they let me know if	21 online? Do you pay it by check?
22 there's any changes to my credit, and I have	22 A. I pay it online through my banking

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1 institution.	1 good character, is also a reflection of your
2 Q. Okay. Do you have student loans?	2 credit. So when I completed, signed the form
3 A. I do.	3 for the background check, that is my
4 Q. Approximately how much are your	4 understanding that that is how they measure.
5 student loans that are outstanding?	5 Q. Have you ever discussed your credit
6 A. Collectively I would say about	6 history with your employer?
7 63,000.	7 A. No.
8 Q. Do you pay those monthly?	8 Q. Has your employer ever questioned
9 A. I do.	9 your credit history?
10 Q. How much do you pay a month?	10 A. No.
11 A. Collectively about 500 bucks.	11 Q. Has your employer ever questioned
12 Q. When you say "collectively", does	12 your financial reputation?
13 that mean that you have multiple lenders for	13 A. Define --
14 your student loans? Or are they through one	14 Can you define "questioned".
15 entity?	15 Q. Sure. I'll break it down to an even
16 A. They're two lenders. Yes.	16 easier question. Has your employer ever asked
17 Q. Who are the lenders?	17 you any questions regarding your financial
18 A. Um, let's see. Navient. And what	18 background?
19 is the other one?	19 A. I'm going to say "yes", because I
20 I can't think of the name.	20 believe that's covered under the background
21 Q. Okay. In your allegations in your	21 check. That's where they would have inquired.
22 complaint you allege that you deal with	22 Q. Okay. When did this occur?
Page 22	
1 millions of dollars of transactions. Can you	1 A. When I was hired.
2 describe that for me, please.	2 Q. And what did they ask you?
3 A. I oversee millions of dollars of	3 A. They asked me to complete the
4 transactions.	4 document giving permission to do a full
5 Q. What does that mean?	5 background investigation on me. I had to
6 A. That means that I deal with a high	6 include my Social Security Number.
7 volume of revenue in which I have access to and	7 Q. Did you ever receive any feedback
8 which I record and which I make payments from	8 from this particular background investigation?
9 on behalf of the company I work for.	9 (Witness nodded.)
10 Q. And you also state in your	10 Can you answer "yes" or "no",
11 allegations that your employer requires good	11 please.
12 credit and a solid financial reputation. How	12 A. Not to my knowledge. Not that I can
13 often or by what measure does your employer	13 recall.
14 require you to have good credit?	14 Q. Did anyone ever discuss your
15 A. Can you repeat the question.	15 financial history with you at your place of
16 Q. Sure. Again, your allegations state	16 employment?
17 that your employer requires good credit and a	17 A. No.
18 solid financial reputation. How does your	18 Q. Are you aware of your employer
19 employer judge your good credit?	19 checking your credit at any time between
20 A. What I can say is that my position	20 November of 2016 and May of 2017?
21 requires a great deal of trust, and working in	21 MR. GOLDSON: Objection.
22 the field of finance your reputation, as far as	22 MR. METCHO: On what basis?

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1 MR. GOLDSON: Asked and answered.	1 Q. Do you remember what you discussed?
2 MR. METCHO: Objection noted. You	2 A. I do.
3 can answer the question if you're able.	3 Q. Can you give me a summary of what
4 THE WITNESS: Can you repeat the	4 was discussed during the phone call.
5 question.	5 A. Sure. What was discussed was the
6 BY MR. METCHO:	6 information on the collection letter that they
7 Q. Sure. Are you aware of any time	7 sent. The letter summarized, indicated that
8 between November of 2016 and May of 2017 of	8 they had received this debt and that I needed
9 your employer checking your credit score?	9 to respond within 30 days. If they hadn't
10 A. I'm not aware of what HR does. I	10 heard from me, they were going to assume that
11 cannot speak to the fact if they did or didn't.	11 it was mine, and that if it wasn't I should
12 I can just speak to the fact that I've given	12 reach out to them to clear up the matter. So I
13 them permission to do so.	13 called.
14 Q. So again, I'm the attorney for the	14 Q. Do you recall receiving any letters
15 defendant in this matter, Ability Recovery	15 from Ability?
16 Services. Do you recall speaking with Ability	16 A. The two letters that I got in the
17 Recovery Services regarding any accounts?	17 mail.
18 A. I do.	18 Q. Okay. When was the date of the
19 Q. When was the first time you spoke	19 first letter? Do you remember approximately?
20 with Ability?	20 A. I believe they were in --
21 A. The first time I spoke with them was	21 I believe they were 4 November 2016.
22 in 2016. I think it was either --	22 And I remember, I say that specifically,
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1 I think it was November of 2016.	1 because I knew I had 30 days, which is why I
2 Q. Did you contact Ability? Or did	2 called quickly because I don't think I looked
3 Ability contact you?	3 at it until December.
4 A. How do you define "contact"?	4 Q. Okay. When you received that first
5 Q. Did you call Ability? Did Ability	5 letter did you send any letters back to
6 call you? What was the initiation of the	6 Ability?
7 contact with Ability?	7 A. I sent no letters to Ability.
8 A. Ability sent me two letters.	8 Q. Okay. So at no point did you send a
9 Q. Okay.	9 letter to Ability disputing the debt?
10 A. I called in reference to letters I	10 A. No, I did not send them a letter to
11 received.	11 dispute the debt. The letter indicated to
12 Q. Do you remember approximately when	12 call, so that's what I did. I called to
13 you called Ability?	13 dispute the debt.
14 A. I do.	14 Q. Did you send a letter to Ability to
15 Q. When was it?	15 request verification of the debt?
16 A. It was the --	16 A. I did not send a letter to Ability
17 I believe it was in the middle of --	17 about the debt at all. I called per what the
18 It was in the middle of December of	18 letter instructed.
19 2016.	19 Q. Okay. After receiving the letter
20 Q. Do you remember who you spoke with?	20 from Ability did you reach out to the credit
21 A. I don't remember the gentleman's	21 bureaus?
22 name.	22 A. I did.

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<p style="text-align: right;">Page 29</p> <p>1 Q. When was this?</p> <p>2 A. It was after the phone call in which</p> <p>3 after indicating that none of the items on the</p> <p>4 letter had anything to do with me, not the</p> <p>5 Social Security Number, not the date of birth.</p> <p>6 The gentleman then indicated that --</p> <p>7 Q. The gentleman from who? The credit</p> <p>8 bureaus?</p> <p>9 A. The gentleman from Ability that I</p> <p>10 spoke to on the phone.</p> <p>11 After talking to him, I said: I got</p> <p>12 this letter.</p> <p>13 He said, you know, they weren't sure</p> <p>14 if it was mine. They needed to confirm that it</p> <p>15 was. I said it wasn't. He mentioned a name.</p> <p>16 It wasn't mine. He mentioned a date of birth,</p> <p>17 it wasn't mine. He mentioned dependents, I</p> <p>18 told him I have none. I thought the matter was</p> <p>19 settled. He then indicated that he was going</p> <p>20 to report it to the credit bureau. I asked:</p> <p>21 How is that possible when the letter indicated</p> <p>22 that you got this information, you need to</p>	<p style="text-align: right;">Page 31</p> <p>1 Q. My apologies. And let me try to</p> <p>2 break it down for you.</p> <p>3 A. Great.</p> <p>4 Q. So you had this conversation with</p> <p>5 Ability regarding the debt and you allegedly</p> <p>6 not owing the debt, right?</p> <p>7 A. That is correct.</p> <p>8 Q. Okay. At this point did you send</p> <p>9 any documentation to Ability regarding the</p> <p>10 debt?</p> <p>11 A. I wasn't requested to do any of</p> <p>12 those things, so the answer to that question is</p> <p>13 "no". I did not send them a letter. I think I</p> <p>14 said that before. That was not the --</p> <p>15 The nature of the letter was to give</p> <p>16 me instructions on how I was to dispute this</p> <p>17 debt. I followed the letter. They said to</p> <p>18 call. I called. I talked to a gentleman. He</p> <p>19 shared some information to confirm that this</p> <p>20 was the same person. None of the information</p> <p>21 he shared could confirm this was me. I thought</p> <p>22 it was done. He then told me that he was going</p>
<p style="text-align: right;">Page 30</p> <p>1 confirm if it was correct. I'm confirming that</p> <p>2 it's incorrect.</p> <p>3 He indicated that he would still</p> <p>4 report it to the credit bureaus.</p> <p>5 Q. Report it how? As disputed?</p> <p>6 A. He said he would report it as if it</p> <p>7 was my debt, and I had --</p> <p>8 It was my responsibility to go to</p> <p>9 the credit bureaus to defend myself.</p> <p>10 Q. Okay. Now, prior to this time,</p> <p>11 again, no documentation was sent by you to</p> <p>12 either Ability or Pendrick or the credit</p> <p>13 bureaus?</p> <p>14 A. I'm sorry. You have to repeat that.</p> <p>15 Q. Prior to this conversation with</p> <p>16 Ability, after you had received the letters</p> <p>17 from Ability --</p> <p>18 A. Okay.</p> <p>19 Q. -- did you send any documentation to</p> <p>20 Ability to Pendrick or to the credit bureaus?</p> <p>21 A. You're going to need to separate</p> <p>22 those questions because it's confusing.</p>	<p style="text-align: right;">Page 32</p> <p>1 to send it to --</p> <p>2 He said he still was going to report</p> <p>3 it on my credit. So I'm confused about how we</p> <p>4 got to this place because the letter indicated</p> <p>5 that calling and not being able to confirm the</p> <p>6 data was how you dispute it.</p> <p>7 Q. At this point did you check your</p> <p>8 credit report?</p> <p>9 A. I believe I did check after the</p> <p>10 call.</p> <p>11 Q. When was that?</p> <p>12 A. That was in December 2016.</p> <p>13 Q. And was there any indication on your</p> <p>14 credit report of any information being reported</p> <p>15 by Ability?</p> <p>16 A. Not at the time of the call.</p> <p>17 Q. Okay. When was the first time that</p> <p>18 you checked your credit report when you saw</p> <p>19 information that was being reported by Ability?</p> <p>20 A. When I got a credit alert from my --</p> <p>21 There's a --</p> <p>22 I forget what you call it, but it's</p>

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<p style="text-align: right;">Page 33</p> <p>1 a credit protection agency that kind of let's 2 you keep you alert of when things change in 3 your credit. And as per the conversation I had 4 with the gentleman from Ability, he did report 5 it and it did show up as me owing the debt. 6 Q. When did you sign up for that 7 particular service? 8 A. I've had it for over -- 9 At that time over 2 years. 10 Q. How often do you receive 11 notifications from that service? 12 A. Anytime there's changes to my 13 credit. 14 Q. Why did you sign up for it? 15 A. I can't recall my thinking at the 16 time, but I believe there was -- 17 I don't know. I thought that was a 18 good thing to do at the time. 19 Q. Do you pay for it? 20 A. I do. 21 Q. Okay. When was the last time you 22 made a payment for the service?</p>	<p style="text-align: right;">Page 35</p> <p>1 You can answer if you're able. 2 THE WITNESS: Can you repeat the 3 question. 4 BY MR. METCHO: 5 Q. Sure. Between November 2016 and May 6 of 2017 did you have any discussions with 7 anyone at your place of employment regarding 8 your credit history? 9 A. No. 10 Q. Between November 2016 and May of 11 2017 were you denied any credit opportunities? 12 A. State that question again. 13 Q. Sure. Between November of 2016 and 14 May of 2017 were you denied any credit 15 opportunities? For instance, did you attempt 16 to open up a credit card and were denied? Or 17 did you attempt to get a car loan and were 18 denied? Anything of that nature? 19 A. From November to December I would 20 say "no". January 2017 when this showed up on 21 my credit I became very concerned about it 22 being there: One, because it was inaccurate,</p>
<p style="text-align: right;">Page 34</p> <p>1 A. I can't recall. 2 Q. Do you still maintain the service? 3 A. I do maintain the service. 4 Q. Are you aware of any time that your 5 employer noticed information on your credit 6 report that was being reported by Ability? 7 A. I cannot speak to what my job saw 8 that as -- 9 I'm not privy to that information. 10 Q. Were you ever -- 11 Between November of 2016 and May of 12 2017 were you reprimanded by your employer 13 regarding your credit history? 14 A. I have never been reprimanded by my 15 employer. 16 Q. Between November of 2016 and May of 17 2017 did you speak with anyone at your place of 18 employment regarding your credit history? 19 A. I think you asked that already. 20 Q. I'm asking again. 21 MR. GOLDSON: Objection. 22 MR. METCHO: Noted.</p>	<p style="text-align: right;">Page 36</p> <p>1 and I knew how important my credit is. 2 At that point I can't say that I 3 applied for any credit, but I didn't go out of 4 my way to make any decisions relating to my 5 credit at that time because I believed that it 6 was something small that we'd eventually get 7 past it and it wouldn't be an issue. 8 I don't know if that answers your 9 question. 10 Q. Do you remember how much the debt 11 was for? 12 A. I think it was \$1500 -- 13 Q. Okay. 14 A. -- or so. Give or take. 15 Q. Do you own a car? 16 A. I do. 17 Q. What kind of car do you own? 18 A. A Saturn. 19 Q. When was the last time you made a 20 payment towards the note on the car? 21 A. I paid for my car in cash. There 22 was never a note on it.</p>

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<p style="text-align: right;">Page 37</p> <p>1 Q. Okay. So you don't have a car 2 payment, in other words?</p> <p>3 A. I do not.</p> <p>4 Q. Um, between -- it's a small 5 timeframe -- but November of 2016 and May of 6 2017 did you seek any credit? Did you seek to 7 open up a credit card? Did you seek an auto 8 loan? Or anything of that sort?</p> <p>9 A. I considered purchasing a new car, 10 but did not due to this particular inaccurate 11 information on my credit.</p> <p>12 Q. When was that?</p> <p>13 A. It was around my birthday.</p> <p>14 Q. Which was when?</p> <p>15 A. March 13.</p> <p>16 Q. Did you still have the same car?</p> <p>17 A. I do.</p> <p>18 Q. And when did you purchase that car?</p> <p>19 A. I purchased that car, I think it was 20 2000 --</p> <p>21 March of 2016, I believe.</p> <p>22 Q. Okay. And still to this day --</p>	<p style="text-align: right;">Page 39</p> <p>1 Q. And just give me a brief description 2 of what was discussed during that call.</p> <p>3 MR. GOLDSON: Objection. I thought 4 this was asked and answered.</p> <p>5 MR. METCHO: Okay. I just --</p> <p>6 Again, I'm just trying to get some 7 background information.</p> <p>8 MR. GOLDSON: Just for the record.</p> <p>9 MR. METCHO: That's fine.</p> <p>10 You can answer if you're able.</p> <p>11 THE WITNESS: Will you repeat the 12 question.</p> <p>13 BY MR. METCHO:</p> <p>14 Q. Sure. When you spoke with Ability 15 in December of 2016 regarding the account and 16 you allegedly not being responsible for the 17 account, what was discussed?</p> <p>18 Take your time.</p> <p>19 A. Yeah, that's correct.</p> <p>20 Sure. What was discussed?</p> <p>21 We discussed the fact that I 22 received two letters from them indicating that</p>
<p style="text-align: right;">Page 38</p> <p>1 we're now in February of 2018 -- you still have 2 the same car?</p> <p>3 A. I do.</p> <p>4 Q. You did not attempt to purchase 5 another car?</p> <p>6 A. Not until this had been resolved.</p> <p>7 MR. GOLDSON: Just real quick, I'm 8 going to need to take a really short break 9 sometime soon, just whenever is good for you 10 within the next like 10 or so minutes.</p> <p>11 MR. METCHO: We can take a break now 12 if you want.</p> <p>13 (Recess taken at 1:34 p.m.)</p> <p>14 (Deposition resumed at 1:43 p.m.)</p> <p>15 BY MR. METCHO:</p> <p>16 Q. Ms. Long, do you remember the first 17 time you made a dispute to Ability regarding 18 the account? In other words, when was the 19 first time you told Ability that you weren't 20 responsible for this particular account?</p> <p>21 A. When I made the phone call in 22 December.</p>	<p style="text-align: right;">Page 40</p> <p>1 there was --</p> <p>2 -- they received information 3 indicating this was my debt, from their 4 information that this belonged to me and that 5 for me to confirm. In doing so, I was to call. 6 And if they hadn't heard from me in 30 days 7 they would assume that it was mine. So I got 8 on the phone, I called them, I said: Hey, I 9 got this letter. This isn't mine.</p> <p>10 They said: Okay.</p> <p>11 They asked me to indicate the 12 reference number. I gave the reference number.</p> <p>13 Then the gentleman asked follow-up questions: 14 You know, they mentioned a date of birth, it 15 wasn't mine; they mentioned a name, it wasn't 16 mine; they mentioned dependents -- I think two 17 different names -- I said I don't have any 18 dependents; they said okay.</p> <p>19 Then the gentleman indicated that I 20 would have to take this up with the credit 21 agency. I was perplexed. I said: Wait. I 22 called you within the timeframe to tell you it</p>

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<p style="text-align: right;">Page 41</p> <p>1 wasn't mine. All of the supporting 2 documentation that you've given me that you 3 have that you are -- 4 -- what you're saying are 5 identifiers, I said they're not. I don't -- 6 they're not my name, my date of birth, I don't 7 have any children.</p> <p>8 He then told me that I would have to 9 take it up with the credit reporting agency. I 10 then was confused. I asked him to clarify: 11 How was that possible when your letter stated 12 that you got this information, call to confirm, 13 I told you this isn't mine. How can you still 14 report it on my credit when all you have is my 15 name and my address, but none of the other 16 information relates to that?</p> <p>17 He then said that he couldn't get 18 into that, that my only recourse now was to 19 take it up with my credit agency. We went back 20 and forth. He continued to say the same thing, 21 so I said: Okay.</p> <p>22 And the next month I got an alert,</p>	<p style="text-align: right;">Page 43</p> <p>1 information being furnished by Ability? 2 A. I don't understand your question. 3 Q. All right. Let me step back. 4 When was the first time you 5 recognized that Ability was furnishing 6 information to the credit bureaus regarding the 7 account at issue?</p> <p>8 A. When I got an alert. 9 Q. Do you remember when that was? 10 A. It was in -- 11 It was in like a month later. In 12 January 2017. 13 Q. Okay. And when was the last time 14 you checked your credit report and saw that 15 there was information being furnished by 16 Ability?</p> <p>17 A. When was the last time that I saw -- 18 I'm still not understanding what 19 you're asking. 20 Q. Okay. Let me try to rephrase it. 21 When was the last time you checked 22 your credit report and saw on your credit</p>
<p style="text-align: right;">Page 42</p> <p>1 checked my credit. The liability that I called 2 him earlier before is now on my credit. 3 Q. After that conversation did you have 4 any further conversations with Ability? 5 A. I did not. 6 Q. Did you receive any additional 7 letters from Ability? 8 A. I did not. 9 Q. After that conversation did you 10 contact the credit bureaus? 11 A. I disputed it using, I think it was 12 Experian. Their site says they will send my 13 dispute to all the other agencies. So that's 14 what I did. 15 Q. What happened as a result of that? 16 A. They sent me correspondence, I think 17 it was via -- 18 You had to go back to the site and 19 it indicated they had indicated this was my 20 debt. 21 Q. When was the last time you checked 22 your credit report when you saw that there was</p>	<p style="text-align: right;">Page 44</p> <p>1 report that there was information that was 2 being furnished by Ability? 3 A. Sometime in September in the Fall. 4 Q. Of what year? 5 A. 2017. 6 Q. Okay. When was the last time you 7 checked your credit report? 8 A. A couple weeks ago, a week and a 9 half ago. 10 Q. Is there still information being 11 furnished by Ability? 12 A. No. 13 Q. So you have referenced earlier that 14 when you began your employment you had filled 15 out some type of documentation more or less 16 giving your employer the ability to check your 17 credit history, correct? 18 A. I said that they had -- 19 I gave them permission to do a 20 background check. 21 Q. Can you describe this particular 22 documentation for me.</p>

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1 A. It's a sheet that says you give them 2 permission -- 3 You fill out your address, your 4 Social Security Number, and they're saying 5 you're giving us permission to run a background 6 check on you. 7 Q. After filling out this documentation 8 did you receive any feedback from your 9 employer? 10 MR. GOLDSON: Objection. 11 MR. METCHO: Basis? 12 MR. GOLDSON: Asked and answered. 13 MR. METCHO: Objection noted. 14 You can answer if you're able. 15 THE WITNESS: I was hired. 16 BY MR. METCHO: 17 Q. Okay. How long have you been at -- 18 And again, I may have asked this. 19 Just to refresh my memory, how long have you 20 been at your current place of employment? 21 A. A year and 5 months. 22 Q. During that time period have you	1 positions? 2 A. I got an official promotion in 3 September of 2017. 4 Q. Did this particular position come 5 with a salary increase? 6 A. It did. 7 Q. Have you received salary increases 8 throughout your employment? 9 A. Yes. 10 Q. When was the last time you received 11 a salary increase? 12 A. September 2017. 13 Q. So you allege in your complaint that 14 you were leery of potentially losing your job 15 over this trade line information that was being 16 reported. Is that correct? 17 A. Repeat the question. 18 Q. Sure. You allege in your 19 complaint -- 20 Here, I can actually bring the 21 document up. I can read it to you verbatim. 22 In Paragraph 57 you state that: You suffered
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1 been reprimanded in any way? 2 MR. GOLDSON: Objection. 3 MR. METCHO: Basis? 4 MR. GOLDSON: Asked and answered. 5 MR. METCHO: You can -- 6 Objection noted. 7 You can answer if you're able. 8 THE WITNESS: No. 9 BY MR. METCHO: 10 Q. During this particular time period 11 have you been promoted? 12 A. During what time period? 13 Q. Throughout your employment? 14 A. Employment where? 15 Q. At your current place of employment. 16 A. Yes. 17 Q. How many times? 18 A. Once. 19 Q. When was -- 20 When did that occur? 21 A. Define "promotion". 22 Q. Did you obtain different employment	1 actual damages, economic damages, and damages 2 regarding credit damage, anxiety, 3 sleeplessness, emotional distress from the 4 prospect of job loss. 5 What made you think that you were 6 going to lose your job over this? 7 MR. GOLDSON: Objection. 8 MR. METCHO: Basis? 9 MR. GOLDSON: Form. 10 MR. METCHO: You can answer if 11 you're able. 12 THE WITNESS: Repeat the question. 13 BY MR. METCHO: 14 Q. Sure. In Paragraph 57 you state 15 that you suffered actual damages, and one of 16 these damages included a prospect of job loss. 17 What made you think that Ability's attempt to 18 recover this debt was going to lead to you 19 losing your job? 20 A. When I was hired my background 21 information presented a different version than 22 what this trade line was now representing.

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<p style="text-align: right;">Page 49</p> <p>1 This trade line was representing that I was 2 irresponsible, I owed a debt and did not pay. 3 And all of that is inaccurate.</p> <p>4 Q. Are you aware of anyone at your 5 place of employment seeing this particular 6 trade line being reported?</p> <p>7 A. What I can speak to is that when I 8 was hired I had given them permission to do a 9 background check, I provided my Social Security 10 Number.</p> <p>11 Q. Did anyone at your place of 12 employment bring this trade line information 13 that was being reported by Ability to your 14 attention at any time?</p> <p>15 A. No.</p> <p>16 Q. Did you lose your job?</p> <p>17 A. No.</p> <p>18 Q. You also allege in Paragraph 57 that 19 you had fear of hard earned money being taken 20 away from you, although you just testified 21 under oath that you received a promotion in 22 2017?</p>	<p style="text-align: right;">Page 51</p> <p>1 was furnishing on your credit report regarding 2 the debt, are you aware of anyone else seeing 3 this information?</p> <p>4 A. What I can speak to is that anyone 5 who had access to, who had regular access to my 6 credit report could in fact see it.</p> <p>7 Q. Are you aware of anyone seeing it?</p> <p>8 A. I'm aware of them having the ability 9 to access and see it.</p> <p>10 Q. But are you aware of anyone seeing 11 it?</p> <p>12 A. I'm aware of them having the access 13 to see. I can't speak to what other people do.</p> <p>14 Q. It's a "yes" or "no" question.</p> <p>15 A. I can speak to them having the 16 ability to access and see.</p> <p>17 Q. Was it ever brought to your 18 attention that anyone saw this information on 19 your credit report regarding the debt that was 20 being reported by Ability?</p> <p>21 A. Define "brought to my attention".</p> <p>22 Q. I'm asking the questions, ma'am.</p>
<p style="text-align: right;">Page 50</p> <p>1 A. I received a promotion 2 September 2017. This was reported 3 January 2017.</p> <p>4 Q. Okay.</p> <p>5 A. So from that time to that time I had 6 no idea what could happen to me at that point.</p> <p>7 Q. Did you have any money taken away 8 from you by your employer during that time 9 period?</p> <p>10 A. Define "taken away".</p> <p>11 Q. Was there a --</p> <p>12 Did you lose salary? Did your 13 salary decrease during that time period?</p> <p>14 A. No, it did not.</p> <p>15 Q. You have a claim in your 16 complaint -- if I can find the particular 17 paragraph -- it's Count 2 for defamation. Are 18 you aware of anyone other than yourself being 19 aware of this information that was being 20 furnished by Ability on your credit report?</p> <p>21 A. Repeat the question.</p> <p>22 Q. Sure. The information that Ability</p>	<p style="text-align: right;">Page 52</p> <p>1 A. I'm asking for clarity on the 2 question, sir.</p> <p>3 MR. GOLDSON: Objection.</p> <p>4 BY MR. METCHO:</p> <p>5 Q. Okay. Was it ever brought to your 6 attention that anyone saw this information that 7 was being furnished by Ability on your credit 8 report?</p> <p>9 A. I can speak to individuals having 10 access to see.</p> <p>11 Q. Again, it's a "yes" or "no" 12 question.</p> <p>13 A. I can speak to them having access to 14 see.</p> <p>15 Q. Did they see it?</p> <p>16 MR. GOLDSON: Objection.</p> <p>17 MR. METCHO: Basis?</p> <p>18 MR. GOLDSON: Asked and answered.</p> <p>19 MR. METCHO: I didn't get an answer 20 to the question.</p> <p>21 MR. GOLDSON: You've got plenty of 22 answers to the question.</p>

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1 MR. METCHO: That's not an answer.	1 if that's not what you meant, please clarify.
2 It's a "yes" or "no" question.	2 Q. We'll move on. That's fine.
3 MR. GOLDSON: She's given her	3 What types of inconvenience did you
4 answer.	4 suffer as a result of Ability attempting to
5 MR. METCHO: It's not an answer.	5 recover this debt?
6 We'll issue additional written discovery on	6 A. Um, inconvenience of having to
7 that question -- that's fine -- in the form of	7 prolong a purchase of a car, the inconvenience
8 a request for admissions.	8 of having the opportunity to refinance my house
9 BY MR. METCHO:	9 if I chose to, the inconvenience of having to
10 Q. What types of economic damages did	10 freely move in the market without having to be
11 you suffer as a result of this collection	11 concerned about what inaccurate reporting --
12 activity?	12 -- what options it would leave me.
13 A. Well, one, it presented loss of	13 Q. What do you mean by "options"?
14 opportunity.	14 A. Relating to, for example, let's say
15 Q. What opportunities did you lose?	15 buying a car. An interest rate of 1.5 or an
16 A. Opportunities to purchase a new car	16 interest rate of 5.7. Those are different
17 and get a discounted credit rate because this	17 options based on what I have consistently --
18 is a derogatory information. If I had bought a	18 I've done my very best to ensure
19 car in 2016 it would be an issue. When I try	19 that I pay my debts on time. That not only is
20 to buy one in 2017 now I have the possibility	20 a reflection of my financial responsibility,
21 of an increased interest rate that --	21 but my character. So when you're making
22 Q. When did you try to purchase a car	22 financial decisions how they lend you money
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1 in 2017?	1 depends on how you have previously handled
2 A. I spoke to --	2 money. And this information being reported is
3 I was considering purchasing a car	3 inaccurate about how I handle money.
4 on my birthday, as you asked previously.	4 Q. Did you speak financing during that
5 Q. Okay.	5 particular time period?
6 A. So you asked about economic damages.	6 A. As I spoke to the question earlier,
7 I see that as a missed opportunity because I am	7 I indicated once the information was furnished
8 now in a holding pattern of not being able to	8 I held off on pursuing options hoping that this
9 make free economic decisions on my behalf	9 would be resolved quickly.
10 because of inaccurate reporting.	10 Q. And it was resolved, correct?
11 Q. But this is no longer being reported	11 A. Define "resolved", because we're
12 on your credit report, correct?	12 here today. So what do you mean by "resolved"?
13 A. As of a couple weeks ago, no, I	13 Q. It was taken off your credit report,
14 didn't see it.	14 correct?
15 Q. So what's keeping you from buying a	15 A. Yes, it was.
16 car now?	16 Q. And when was that?
17 A. I haven't had the time. But I	17 A. I checked my credit report a couple
18 believe your question was during that	18 of weeks ago, it was not there.
19 timeframe. Did I misunderstand your question?	19 Q. And since that particular date have
20 Q. No, that's okay.	20 you applied for any type of financing?
21 A. That's what you were saying. I just	21 A. Not as of yet.
22 want to make sure I'm answering correctly. So	22 Q. You allege in your complaint that

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1 you had anxiety and sleeplessness. When was 2 the last time you experienced these two 3 attributes?	1 have something to do with your balance on your 2 Sealy's card?
4 A. Last night preparing before I came 5 to this deposition.	3 MR. GOLDSON: Objection.
6 Q. What about prior to then?	4 MR. METCHO: As to?
7 A. Let's see. It depends on how 8 frequently I think about this.	5 MR. GOLDSON: Form.
9 Q. Your counsel had earlier handed me 10 this document, which I'll hand to the Court 11 Reporter and we'll mark this as Exhibit A. 12 (Exhibit 1 marked for 13 identification.)	6 MR. METCHO: You can answer if 7 you're able.
14 Can you describe this document for 15 me, please.	8 THE WITNESS: Repeat the question.
16 A. Sure. It is a notification from 17 Mint.	9 BY MR. METCHO:
18 Q. What's Mint?	10 Q. Sure. Is it possible that this --
19 A. Mint is an app that I use to help 20 manage my finances.	11 -- you received this notification
21 Q. In what way?	12 due to the balance that's on your Sealy's card?
22 A. Maintains my budgets, as well as	13 A. I can't speak to that. I don't 14 know.
Page 58	15 Q. Are you currently content with your 16 place of employment?
1 savings goals, as well as they keep me 2 up-to-date on my credit score change.	17 A. Define "content".
3 Q. When did you obtain this document?	18 Q. Sure. Are you happy with your work?
4 A. I believe it was in the Fall of 5 2017.	19 A. Yeah. I thoroughly enjoy my work.
6 Q. Why wasn't this document produced 7 along with your discovery responses?	20 Q. Do you plan on staying there?
8 A. I can't speak to the date when, but 9 I know it was --	21 A. Planning on staying? What's that 22 mean?
10 It was in the Fall when I received 11 it.	Page 60
12 Q. Is there a particular date on that 13 document?	1 Q. At your place of employment.
14 A. Not from what I can see.	2 A. I'm not ready to try to answer that
15 Q. Does that document state exactly why 16 your alleged interest rate went up?	3 10 years from now, 20 --
17 A. It does not state why, it just 18 states that it did.	4 I can't speak to --
19 Q. Had you applied for credit prior to 20 when you received that document?	5 Q. Within the next year.
21 A. Not that I can recall.	6 A. I can't speak to what I plan to do 7 in the future.
22 Q. Could this particular notification	8 Q. Did this particular account or 9 Ability's attempt to recover the account have 10 any effect whatsoever on your employment 11 status?
	12 A. Repeat the question.
	13 Q. Sure. Ability's attempts to recover 14 this debt obligation at issue, did it have any 15 type of effect on your employment status?
	16 A. Ability's inaccurate reporting on my 17 credit?
	18 MR. GOLDSON: Just, I'm going to put 19 an objection on the record as to form.
	20 MR. METCHO: Okay. You can answer 21 if you're able.
	22 THE WITNESS: Repeat the question.

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1 BY MR. METCHO:	1 MR. METCHO: You can ask if you're
2 Q. Sure. Ability's attempt to recover	2 able.
3 the debt obligation at issue, did it have any	3 You can answer if you're able.
4 type of effect on your employment?	4 Excuse me.
5 A. Ability's inaccurate reporting of	5 THE WITNESS: Repeat the question.
6 the debt on my credit became an issue for me in	6 BY MR. METCHO:
7 the sense that when I was hired that was not	7 Q. The information that --
8 the credit reflection or the background	8 -- regarding Ability's attempt to
9 information they received and it was also	9 collect a debt is no longer on your credit
10 inaccurate, and now it's being presented and it	10 report, correct?
11 opened up to the possibility for an effect on	11 A. From my understanding, yes.
12 how I was viewed and my ability to keep their	12 Q. Okay. Are you aware that probably
13 trust in handling their money.	13 about a week ago myself on behalf of both
14 Q. You're not aware of anybody at your	14 Ability and Pendrick had issued to your counsel
15 place of employment seeing this information on	15 what's called an Offer of Judgment Pursuant to
16 your credit report, right?	16 Federal Rule of Civil Procedure 68?
17 A. I can't speak to what they have done	17 A. Am I aware of --
18 with it. I don't know.	18 Q. Were you aware of that?
19 Q. And you had mentioned earlier that	19 A. Yes.
20 you've been getting salary raises throughout	20 Q. Okay. And it's still your position
21 your employment, correct?	21 today that you're not going to accept the Offer
22 A. I spoke that I had a promotion in	22 of Judgment?
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1 September of 2017.	1 MR. GOLDSON: Objection.
2 Q. So it hasn't taken away from your	2 MR. METCHO: Basis?
3 ability to work, correct?	3 MR. GOLDSON: Form and privilege.
4 A. Repeat the question.	4 BY MR. METCHO:
5 Q. It hasn't taken away --	5 Q. Okay. Um, let me ask you this:
6 Ability's attempts to recover the	6 What are you looking for here?
7 account at issue has not taken away from your	7 MR. GOLDSON: Objection.
8 ability to make a leaving to earn a salary,	8 MR. METCHO: Basis?
9 correct?	9 MR. GOLDSON: Form --
10 A. It's inaccurate reporting has	10 MR. METCHO: Okay. You can answer
11 potentially threatened my ability to earn if I	11 if you're able.
12 chose to leave my job as I would then be	12 MR. GOLDSON: -- and harassment.
13 subject to the same background information, and	13 MR. METCHO: Harassment?
14 this information would be inaccurate and it	14 MR. GOLDSON: On the record, form
15 would be a reflection of my understanding of my	15 and harassment.
16 trustworthiness, particularly in a role in	16 BY MR. METCHO:
17 which I have access to large sums of money.	17 Q. You can answer. You filed a lawsuit
18 Q. But it's no longer on your credit	18 against several defendants here. What is your
19 report, right?	19 ultimate outcome of this litigation?
20 MR. GOLDSON: Objection.	20 A. I'm not sure.
21 MR. METCHO: Basis?	21 MR. METCHO: Okay. That's all I
22 MR. GOLDSON: Asked and answered.	22 have right now.

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<p>1 EXAMINATION 2 BY MR. MARCUS: 3 Q. I probably have about 5 minutes of 4 questions. 5 Ms. Long, again, I'm Morgan Marcus. 6 I represent Pendrick. Your current job you're 7 at Trusted Health Plans Incorporated, correct? 8 A. That is correct. 9 Q. And based upon your interrogatory 10 responses that your attorney's provided to me, 11 it indicates that you started there, I believe, 12 September of -- 13 -- September 12, 2016. Does that 14 sound accurate? 15 A. Yes. 16 Q. So when did you actually apply to 17 work at Trusted Health Plans Inc? 18 A. That was June 2016. 19 Q. And you indicated earlier that you 20 provided -- 21 -- that you signed a document, I 22 believe you said, providing your employer the</p>	<p>Page 65</p> <p>1 background. It did not indicate that it was 2 for a window of time. 3 Q. But it was for the purposes of your 4 application. Is that correct? 5 A. It was the purpose of employment. 6 You were required to complete and pass before 7 being hired. 8 -- in a condition of hire. 9 Q. And to your knowledge did they 10 provide -- 11 Did those documents have been 12 provided -- 13 Strike that. 14 You signed that document. Is that 15 correct? 16 A. I did sign the document. 17 Q. And did they provide you a copy of 18 that document? To your recollection. 19 A. Um, I can't recall. 20 Q. You indicated just now that one of 21 your concerns was about potentially if you have 22 to look for other jobs. Have you looked for</p>
<p>1 ability to check your credit. Is that correct? 2 A. That is correct. 3 Q. And when exactly would you have 4 signed that document? Do you recall? 5 A. When I applied during my 6 application -- 7 Q. Would that have been -- 8 A. -- process. 9 Q. I'm sorry for interrupting you. 10 So that would have been June of 11 2016? 12 A. That's correct. 13 Q. And if you can recall the specific 14 document that you signed, did it give them the 15 ability to only check your credit report during 16 the application process? 17 A. I can't recall. 18 Q. Did it give them the ability to 19 continuously check your credit report? 20 A. It gave them permission. I can't 21 speak to -- 22 It gave them permission to check my</p>	<p>Page 66</p> <p>1 any jobs since December of 2016? 2 A. I've -- 3 I have been -- 4 I have checked in and out to see 5 what the job market looked like. Yes. 6 Q. What do you mean by that? 7 A. I've looked at job posting sites. I 8 have looked at what my skill set earning 9 potential was during that time. 10 Q. And have you applied for any jobs 11 during that time period? 12 A. I had, yes. 13 Q. And where was that to? 14 A. Several. I can't list them all. 15 Q. When would that have happened? 16 A. That was back in, I would say, May 17 of 2017. 18 Q. And you submitted applications. Is 19 that what you're saying? 20 A. That is correct. 21 Q. You don't remember any of these 22 companies that you submitted applications to?</p>

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<p style="text-align: right;">Page 69</p> <p>1 A. One was for sure was Bond. It was a 2 healthcare company in Columbia. And they 3 request that I give permission to -- 4 -- for not just a background, but 5 they specified a credit check.</p> <p>6 Q. To your knowledge did they do a 7 credit check?</p> <p>8 A. I'm not sure. I wasn't selected for 9 the job.</p> <p>10 Q. Any other companies that you 11 submitted applications to?</p> <p>12 A. None that I can recall.</p> <p>13 Q. What was this company called? Bond?</p> <p>14 A. Bond. I can't think of the name. I 15 think it was --</p> <p>16 It was a Catholic healthcare company 17 in Columbia. I think it was Bond SE something. 18 I can't think of the name. It was a different 19 name. I can't remember.</p> <p>20 Q. And what was the position that you 21 were applying for?</p> <p>22 A. I believe it was --</p>	<p style="text-align: right;">Page 71</p> <p>1 A. Define "directly". 2 Q. Did you ever receive any mailing 3 that came specifically from Pendrick, and not 4 from some other agency?</p> <p>5 A. I received a letter from Ability on 6 behalf of Pendrick. I don't know if that's 7 considered direct, but that's what I received.</p> <p>8 Q. Other than the letters that you 9 received from Ability, did you receive anything 10 else?</p> <p>11 A. No.</p> <p>12 Q. You indicated earlier that you have 13 three credit cards. Since December -- 14 Have you had those three same credit 15 cards since December 2016?</p> <p>16 A. Yes.</p> <p>17 Q. I believe it was Chase, Barclay's 18 and Sealy's, you said?</p> <p>19 A. That's correct.</p> <p>20 Q. So continuously from December 2016 21 to today you've had those three cards, correct?</p> <p>22 A. That's correct.</p>
<p style="text-align: right;">Page 70</p> <p>1 I believe it was a Controller role 2 or a Finance Manager role.</p> <p>3 Q. And did they give you any reason -- 4 Well, strike that.</p> <p>5 You submitted your documents to 6 them, and did they bring you in for an 7 interview?</p> <p>8 A. They did not.</p> <p>9 Q. And did they give you any reason why 10 you weren't selected?</p> <p>11 A. They did not.</p> <p>12 Q. Ms. Long, you never had any direct 13 contact with Pendrick, right?</p> <p>14 A. What do you define as "direct"?</p> <p>15 Q. Did you ever have any telephone 16 conversations with Pendrick directly?</p> <p>17 A. No.</p> <p>18 Q. Did you ever send any written 19 communications directly to Pendrick?</p> <p>20 A. No.</p> <p>21 Q. Did you ever receive anything 22 directly from Pendrick?</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. Other than that you haven't had any 2 other cards?</p> <p>3 A. Not that I can recall.</p> <p>4 Q. Have you ever missed any payments on 5 those cards?</p> <p>6 A. No.</p> <p>7 Q. Have you ever been -- 8 On any debt have you ever missed a 9 payment on any debt? Not just those three 10 cards, any debt.</p> <p>11 A. In what time period?</p> <p>12 Q. Ever.</p> <p>13 A. I'm sure when I was in college.</p> <p>14 Q. And which debt was it? If you have 15 any idea.</p> <p>16 A. I don't know.</p> <p>17 Q. You think you may have missed one in 18 college?</p> <p>19 A. You said "late".</p> <p>20 Q. I'm sorry. Say that one more time.</p> <p>21 A. You said "late".</p> <p>22 Q. Yes.</p>

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1 A. Yeah, I'm sure I was late on a 2 payment. This was long before banks did the 3 payments for you. This was when you actually 4 had to mail stuff in. 5 Q. Have you ever defaulted on any debt? 6 A. Define "default". 7 Q. Made a payment past a payment due 8 date. 9 A. So would that be considered late? 10 Or is that considered default? 11 Q. Well, I think it depends on your 12 cardholder agreement. But have you made a 13 payment past the payment due date that you 14 negotiated with whatever entity that you got 15 the credit from? 16 A. Depending what time period are we 17 talking about? 18 Q. Ever. 19 A. I'm sure I did. 20 Q. And it's your position that you 21 never missed a payment with those three ones we 22 talked about -- Chase, Barclay's and Sealy's?	1 A. I can't recall. 2 Q. Do you recall what the initial 3 interest rate was on the Chase card? 4 A. No, I do not. 5 Q. Your attorneys provided the document 6 that we've titled Long 1, which is in front of 7 you. 8 A. Uh-huh. 9 Q. It indicates that your interest rate 10 was 27.99 percent at some point. Do you know 11 when it started -- 12 -- when it went to 27.99 percent? 13 A. No, I do not recall. 14 Q. I want to provide you a document 15 that your attorney provided to me. It's 16 plaintiff's production Bates labeled 100. I 17 want you to take a second to review that, Ms. 18 Long. 19 For the record, why don't we mark 20 that as Long 2. 21 (Exhibit 2 marked for 22 identification.)
Page 74	Page 76
1 A. That is correct. 2 Q. When did you get the Chase card? 3 A. I can't recall that. That's 4 probably my oldest credit card. 5 Q. Has it been more than 5 years? 6 A. I would say so, probably. I can't 7 specify the date. I don't know. 8 Q. Do you know what the credit limit is 9 on your Chase credit card? 10 A. In terms of what time period? 11 Q. December 2016 'til May of -- 12 -- I think May of 2017. 13 A. I think it was 1600. 14 Q. And have you ever gone above your 15 credit limit -- 16 A. Yes. 17 Q. -- during that time period? 18 A. During that time period? I can't 19 recall. 20 Q. And when I asked you if you had ever 21 gone above that credit limit on that card, you 22 indicated the answer was "yes"?	1 Ms. Long, do you recognize this 2 document? Do you know what this document is? 3 A. It is -- 4 It looks like a snapshot of my 5 credit report for my Chase card from 6 TransUnion. 7 Q. And the top left indicates this was 8 from April 26, 2017. Is that correct? 9 A. That is also correct. 10 Q. And it's showing -- 11 Is this the Chase card that we've 12 been talking about? 13 A. Yes. 14 Q. And it shows the usage is 15 107 percent. Is that correct? 16 A. That's what it says. Yes. 17 Q. Okay. Since the Ability trade line 18 was reported, have you had a conversation with 19 anyone at your current employment regarding the 20 trade line? 21 A. I think I answered this, but do I 22 answer it for your response?

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1 Q. I don't believe it was answered, but	1 DEPOSITION ERRATA SHEET
2 if it has been then the question is being	2 Our Assignment No. J1529142
3 restated.	3 Case Caption:
4 A. Can you repeat the question.	4 Crystal Long
5 Q. Since --	5 vs.
6 Why don't we have the Court Reporter	6 Pendrick Capital Partners, II, LLC, et al
7 repeat it so we make sure she can state it	7
8 correctly.	8
9 (Court Reporter read back.)	9 DECLARATION UNDER PENALTY OF PERJURY
10 A. I've not had any conversations about	10 I declare under penalty of perjury that I
11 it --	11 have read the entire transcript of my
12 -- this trade line with my current	12 Deposition taken in the captioned matter or the
13 employer.	13 same has been read to me, and the same is true
14 Q. And have you been provided with any	14 and accurate, save and except for changes
15 documents from your current employer indicating	15 and/or corrections, if any, as indicated by me
16 that they have reviewed your credit report?	16 on the DEPOSITION ERRATA SHEET hereof, with the
17 A. I have received no documents.	17 understanding that I offer these changes as if
18 MR. MARCUS: That's all I have.	18 still under oath.
19 MR. GOLDSON: Just for the record,	19
20 Long 1 and Long 2 are both marked confidential,	20 Signed on the _____ day of _____, 2018.
21 and we do intend to mark portions of the	21 _____
22 deposition relating to personal information,	22 Crystal M. Long
Page 78	Page 80
1 financial and other personal information, as	1 DEPOSITION ERRATA SHEET
2 confidential on this deposition as well, but	2 Page No. _____ Line No. _____ Change to: _____
3 that's it. I don't have any questions.	3 _____
4 Read and sign.	4 Reason for change: _____
5 MR. METCHO: Regular.	5 Page No. _____ Line No. _____ Change to: _____
6 MR. GOLDSON: Copy, yes.	6 _____
7 MR. MARCUS: I'll hold out for now.	7 Reason for change: _____
8 (Deposition concluded at 2:24 p.m.)	8 Page No. _____ Line No. _____ Change to: _____
9	9 _____
10	10 Reason for change: _____
11	11 Page No. _____ Line No. _____ Change to: _____
12	12 _____
13	13 Reason for change: _____
14	14 Page No. _____ Line No. _____ Change to: _____
15	15 _____
16	16 Reason for change: _____
17	17 Page No. _____ Line No. _____ Change to: _____
18	18 _____
19	19 Reason for change: _____
20	20
21	21 SIGNATURE _____ DATE: _____
22	22 Crystal M. Long

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1	DEPOSITION ERRATA SHEET
2	Page No. _____ Line No. _____ Change to: _____
3	_____
4	Reason for change: _____
5	Page No. _____ Line No. _____ Change to: _____
6	_____
7	Reason for change: _____
8	Page No. _____ Line No. _____ Change to: _____
9	_____
10	Reason for change: _____
11	Page No. _____ Line No. _____ Change to: _____
12	_____
13	Reason for change: _____
14	Page No. _____ Line No. _____ Change to: _____
15	_____
16	Reason for change: _____
17	Page No. _____ Line No. _____ Change to: _____
18	_____
19	Reason for change: _____
20	
21	SIGNATURE: _____ DATE: _____
22	Crystal M. Long
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1	CERTIFICATE OF NOTARY PUBLIC
2	I, Terry L. Bradley, the officer before
3	whom the foregoing deposition was taken, do
4	hereby certify that the witness whose testimony
5	appears in the foregoing deposition was duly
6	sworn by me; that the testimony of said witness
7	was taken by me in shorthand and thereafter
8	reduced to computerized transcription under my
9	direction; that said deposition is a true
10	record of the testimony given by said witness;
11	that I am neither counsel for, related to, nor
12	employed by any of the parties to the action in
13	which this deposition was taken; and further,
14	that I am not a relative or employee of any
15	attorney or counsel employed by the parties
16	hereto, nor financially or otherwise interested
17	in the outcome of the action.
18	
19	Notary Public in and for the State Of Maryland
20	
21	My Commission expires: November 15, 2019
22	